IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.25722 of 1997

Dated: 30th June, 2006

Between:

Gajula Venkaiah

.. Petitioner

and

The District Collector, Guntur
and others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.25722 of 1997

ORDER:

This writ petition is filed at a stage when enquiry under Section 51 of the A.P. Cooperative Societies Act, 1964 was completed and a

finding was recorded against the petitioner and when the Divisional Cooperative Officer, Tenali sought permission for launching criminal prosecution against the petitioner, it was granted by the impugned order dated 16.6.1995.

Now, law in this regard is well settled. Unless and until, surcharge proceedings under Section 60 of the Act are issued, no criminal prosecution can be launched.

Therefore, the writ petition is allowed and the impugned order is set aside. The respondents are at liberty to take appropriate action as per law after completion of the proceedings under Section 60 of the Act, if not already completed.

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C.V.RAMULU,
J

Date: 30.6.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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30.6.2006